

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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Re:

Chapter 7

HARLIN T. SCHWARTZMAN

Case No. 810-70784-478
Judge Dorothy T. Eisenberg

Debtor.

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Andrew M. Thaler, Chapter 7 Trustee
for the Estate of Harlin T. Schwartzman,

Adv. Pro. #8-11-09054-478

Plaintiff,

-against-

Judge Dorothy T. Eisenberg

Harlin T. Schwartzman
a/k/a Harlin Schwartzman,

Defendant.

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ORDER

WHEREAS, an adversary proceeding entitled Andrew M. Thaler, Chapter 7 Trustee for the Estate of Harlin T. Schwartzman v. Harlin T. Schwartzman a/k/a Harlin Schwartzman, Adversary Proceeding No. 811-09054-478, seeking inter alia, objection and/or revocation of discharge pursuant to 11 U.S.C. Sections 727(d) and Bankruptcy Rule 7001(4) having been commenced by the issuance of a Summons and Notice of Pre-Trial Conference together with the Complaint of Thaler & Gertler, LLP attorneys for Plaintiff, Andrew M. Thaler, Chapter 7 Trustee of the Bankruptcy Estate of Harlin T. Schwartzman a/k/a Harlin Schwartzman which was served upon the Defendant; and

WHEREAS, the Defendant, Harlin T. Schwartzman a/k/a Harlin Schwartzman, failed to either answer, move or otherwise appear within the time allotted under Bankruptcy Rule 7012 and also failed to appear before this Court at a Pre-Trial Conference held on July 7, 2011 wherein this Court noted his default on the record; and

WHEREAS, the Trustee by his attorneys Thaler & Gertler, LLP having filed a

Notice of Motion for Default Judgment entered against Defendant Harlin T. Schwartzman a/k/a Harlin T. Schwartzman (a) entering a default judgment against the Defendant, in favor of the Plaintiff on the First Cause of Action, revoking the Debtor, Harlin T. Schwartzman's discharge pursuant to 11 U.S.C. Section 727(d)(1) of the Bankruptcy Code; and (b) on the Second Cause of Action revoking the Debtor, Harlin T. Schwartzman's discharge pursuant to 11 U.S.C. Section 727(d)(1) of the Bankruptcy Code; and

WHEREAS, it having appeared that notice of the Plaintiff's Notice of Motion for Default Judgment and Application in Support of Motion for Default Judgment having been duly served upon the Debtor/Defendant Harlin T. Schwartzman a/k/a Harlin Schwartzman, Harlin T. Schwartzman, c/o Dennis Houdek, Esq. and the Office of the United States Trustee; and

WHEREAS, Katherine A. Geraci, Esq. of Thaler & Gertler, LLP, attorneys for Plaintiff, having appeared before this Court on July 28, 2011 at 10:00 a.m. in support of the Motion for Default Judgment and there was no objection or other opposition filed to this Motion, nor did the Defendant appear before this Court to object or oppose this Motion, and said notice being deemed good and sufficient, and due deliberation having been had and sufficient cause appearing therefore, now it is hereby

ORDERED, that the discharge in bankruptcy of the Debtor/Defendant Harlin T. Schwartzman a/k/a Harlin Schwartzman be and hereby is revoked pursuant to 11 U.S.C. Sections 727(d) and Bankruptcy Rule 7001(4).

**Dated: Central Islip, New York
August 17, 2011**



Dorothy Eisenberg
Dorothy Eisenberg
United States Bankruptcy Judge